

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Kenneth Hart

v.

Case No. 09-cv-355-PB

State of New Hampshire

O R D E R

Kenneth Hart has filed a notice of appeal from my February 9, 2009 order dismissing his petition for failure to comply with the Magistrate Judge's November 30, 2009 Order. Because the petitioner has failed to make a substantial showing of the denial of a constitutional right, the court declines to issue a certificate of appealability. See 28 U.S.C. § 2253(c)(2); Rule 11, Rules Governing Habeas Corpus Cases Under Section 2254; First Cir. LR 22.0.

SO ORDERED.

/s/Paul Barbadoro
Paul Barbadoro
United States District Judge

April 12, 2010

cc: Kenneth Hart, pro se